

LAW OFFICES OF DEBORAH L. RAYMOND
Deborah L. Raymond, SBN 173528
445 Marine View Avenue, Suite 305
Del Mar, CA 92075
(858) 481-9559
draymond@lawinfo.com

Attorney For Plaintiff, JOSIE BONILLA

FILED

08 JUL -2 PH 3:26

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY: *Ece*

DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

JOSIE BONILLA, an individual,

Plaintiff,

vs.

BRONSON & MIGLIACCIO, LLP, an entity
of unknown form; CACH, LLC, an entity of
unknown form; DAVID V. WEINER, an
individual; and DOES 1-10, inclusive,

Defendant(s).

Case No.

'08 CV 1175 JM POR

COMPLAINT FOR DAMAGES BASED
UPON VIOLATIONS OF THE FAIR DEBT
COLLECTION PRACTICES ACT; THE
CALIFORNIA ROSENTHAL ACT; AND
DEMAND FOR JURY TRIAL

[15 U.S.C. §§1692 et seq.; Cal. Civ. Code
§§1788 et seq.]

Plaintiff, JOSIE BONILLA ("Plaintiff") complains as follows against defendants
BRONSON & MIGLIACCIO, LLP ("B&M"), CACH, LLC ("CACH"), and DAVID V. WEINER
("Weiner") (collectively referred to as "Defendants") :

INTRODUCTION

1. This Complaint is filed under the Fair Debt Collection Practices Act, 15 U.S.C.
§§1692 et seq. (hereinafter called "FDCPA") and the California Rosenthal Act, Cal. Civ. Code

1 §§1788 et seq. pursuant to defendants use of abusive, deceptive, and unfair debt collection practices.

2 **Plaintiff demands a jury trial.**

3 **JURISDICTION**

4 2. Jurisdiction of this court arises under 15 U.S.C. Section 1692k(d) and 28 U.S.C.
5 Sections 1331, 1337, and under the doctrine of pendant jurisdiction as set forth in United Mine
6 Workers v. Gibbs, 383 U.S. 715 (1966).
7

8 **PARTIES**

9 3. Plaintiff is a natural person, and at all times mentioned in this complaint was a
10 resident of the County of San Diego, in the Southern District of California.

11 4. Plaintiff is informed and believes, and thereon alleges that defendant M&B is a law
12 Limited Liability Company conducting business in the county of San Diego, State of California.
13 Plaintiff is further informed and believes, and thereon alleges that M&B is engaged in the business
14 of collecting consumer debts and regularly collects consumer debts. M&B is accordingly a "debt
15 collector" as defined in the FDCPA, 15 U.S.C. §1692A(6) and as defined in the Rosenthal Act, Cal.
16 Civil Code §1788.2.
17

18 5. Plaintiff is informed and believes, and thereon alleges that defendant CACH is an
19 entity of unknown form conducting business in the county of San Diego, State of California. Plaintiff
20 is further informed and believes, and thereon alleges that CACH is engaged in the business of
21 collecting consumer debts and regularly collects consumer debts. CACH is accordingly a "debt
22 collector" as defined in the FDCPA, 15 U.S.C. §1692A(6) and as defined in the Rosenthal Act, Cal.
23 Civil Code §1788.2.

24 6. Plaintiff is informed and believes, and thereon alleges that defendant WEINER is
25 an individual attorney conducting business in the county of San Diego, State of California. Plaintiff
26

1 is further informed and believes, and thereon alleges that WEINER is engaged in the business of
2 collecting consumer debts and regularly collects consumer debts. WEINER is accordingly a "debt
3 collector" as defined in the FDCPA, 15 U.S.C. §1692A(6).

4 7. Plaintiff is unaware of the true names and capacities of defendants sued herein as
5 Does 1 through 10, inclusive. Plaintiff is informed and believes and thereon alleges that each
6 fictitiously named defendant was in some way responsible for the matters and things complained of
7 herein, and in some fashion, has legal responsibility therefore. When the true names and capacities
8 of each said fictitiously named defendant has been ascertained, Plaintiff will seek leave to amend this
9 complaint and all proceedings herein to set forth the same.
10

11 8. Plaintiff is informed and believes, and thereon alleges, that at all times herein
12 mentioned, each of the defendants were the officers, directors, agents, assignees, assignors or
13 employees of each of their co-defendants and that in doing the things alleged in this complaint were
14 acting within the course and scope of such capacity, with the full knowledge and consent of their co-
15 defendants, and each of them.

16 **ALLEGATIONS COMMON TO ALL CAUSES OF ACTION**

17 9. Prior to June 30, 2006, Plaintiff had a Bank of America account (account number
18 5342 2000 0046 4679)(the "account") that was being paid through Genus Credit Management. On
19 or about June 30, 2006, after making consistent monthly payments for over 5 years, Plaintiff received
20 notification that she had successfully completed the debt management program and the account status
21 had been changed to "Paid in Full".
22

23 10. Almost a year later, on or about June 27, 2007, Plaintiff received a letter from
24 B&M and signed by Weiner that demanded "payment in full" of \$5,489.08 for a Bank of America
25 account (the "debt"). The letter received by Plaintiff was dated June 22nd, 2007 and postmarked June
26

1 27, 2007. A copy of the June 2007 letter and envelope are herein attached and incorporated by
2 reference as Exhibit "A".

3 11. On July 19, 2007, Plaintiff mail by certified mail a letter disputing the debt and
4 demanding verification to B&M and Weiner and CACH (the "dispute letters"). A copy of the dispute
5 letters are herein attached and incorporated by reference as Exhibit "B". The dispute letters were
6 received by B&M on July 21, 2007 and by CACH on July 23, 2007.

7
8 12. Plaintiff never received verification of the debt. In fact, Plaintiff heard nothing
9 for approximately six month. Plaintiff believed that B&M and CACH had determined that their
10 collection demands were erroneous and ceased their demands.

11 13. Just as Plaintiff was moving on with her life, on or about January 4, 2008, Plaintiff
12 was shocked and stunned to receive another letter from B&M and signed by Weiner. A copy of the
13 letter dated January 04TH, 2008 is herein attached and incorporated by reference as Exhibit "C".

14 14. On or about February 4, 2008, Plaintiff was sickened when she received another
15 letter from B&M and signed by Weiner stating that she owed a debt and requesting a payment plan
16 or settlement payment. A copy of the letter dated February 04TH, 2008 is herein attached and
17 incorporated by reference as Exhibit "D". Plaintiff has since feared what B&M and CACH will do
18 next.
19

20 15. Plaintiff paid her Bank of America account through the credit management
21 program. The debt that B&M, Weiner and CACH is attempting to collect had been paid. B&M,
22 Weiner and CACH have failed and refused to provide verification of the debt and have continued to
23 harass Plaintiff by their illegal collection attempts.

24 16. B&M, Weiner, and CACH's illegal collection practices have caused Plaintiff
25 severe emotional distress, including but not limited to loss of appetite, stress, frustration, fear, anger,
26

1 helplessness, anxiety, sleeplessness, worry, sadness, and depression.

2 **FIRST CAUSE OF ACTION FOR**
3 **VIOLATIONS OF THE FAIR DEBT COLLECTION PRACTICES ACT**
4 **(As to All Defendants)**
5 **(15 U.S.C. §§1692 et seq.)**

6 17. Plaintiff re-alleges and incorporates the allegations in Paragraphs 1 through 16
7 above with the same force and effect as if herein set forth.

8 19. Defendants violated the **Fair Debt Collection Practices Act**, including but not
9 limited to the following sections:

10 19.1.. Section 1692d: Defendants engaged in conduct the natural consequence of which
11 is to harass, oppress, or abuse a person in connection with the collection of a debt;

12 19.2 Section 1692e: Defendants used false, deceptive, or misleading representation
13 or means in connection with the collection of a debt;

14 19.3. Section 1692e(2): Defendants used false representations of the character, amount,
15 or legal status of the debt;

16 19.4. Section 1692e(10): Defendants used false representations or deceptive means to
17 collect or attempt to collect a debt or obtain information concerning Plaintiff;

18 19.5. Section 1692f: Defendants used unfair or unconscionable means to collect or
19 attempt to collect a debt;

20 19.6. Section 1692f(1): Defendants attempted to collect amounts not permitted by law
21 or contract;

22 19.7. Section 1692g: Defendants failed to provide a validation or dispute notice; and

23 19.8. Section 1692g: Defendants failed to validate the debt and continued their
24 collection efforts.

25 20. As a direct and proximate result of defendants' violations, Plaintiff suffered actual
26

1 damages, including, but not limited to severe emotional distress, in an amount to be established by
 2 proof at trial (for the purpose of a default judgment, Plaintiff's damages for emotional distress are not
 3 less than \$15,000.00), and is entitled to actual damages, an award of statutory damages, costs, and
 4 attorney's fees pursuant to 15 U.S.C. §1692k.

5
 6 **SECOND CAUSE OF ACTION FOR**
VIOLATIONS OF THE ROSENTHAL FAIR DEBT COLLECTION PRACTICES ACT
 7 **(As to Defendant CACH ONLY)**
(Cal. Civ. Code §§1788 et seq.)

8 21. Plaintiff re-alleges and incorporates the allegations in Paragraphs 1 through 20
 9 above with the same force and effect as if herein set forth.

10 22. Defendant CACH violated the **Rosenthal Act**, including but not limited to the
 11 following sections:

12 22.1. Section 1788.13(e): Defendants falsely represented that the debt may be increased
 13 by the addition of fees or charges that may not be legally added to the existing obligation;
 14

15 22.2. Section 1788.17: Defendants violated provisions of Title 15 of the United States
 16 Code sections 1692 et seq.

17 23. As a direct and proximate result of Defendant CACH's violations, Plaintiff
 18 suffered actual damages, including, but not limited to emotional distress, in an amount to be
 19 established by proof at trial (for the purpose of a default judgment, Plaintiff's damages for emotional
 20 distress are not less than \$15,000.00), and Plaintiff is entitled to an award of actual damages, costs,
 21 and attorney's fees pursuant to Cal. Civ. Code §1788.30. In addition, Defendants willfully and
 22 knowingly violated the Rosenthal Act which entitles Plaintiff to penalty of not less than \$100 and not
 23 more than \$1,000.00 pursuant to Cal. Civ. Code §1788.30(b).
 24

25 **WHEREFORE**, Plaintiff Prays for a judgment against Defendants as follows:

26 **AS TO THE FIRST CAUSE OF ACTION ONLY**

1) Statutory Damages of \$1,000.00 per violation of the
Fair Debt Collection Practices Act;

2) Attorney's fees pursuant to statute;

AS TO THE SECOND CAUSE OF ACTION ONLY

3) Statutory Damages of \$1,000.00 per violation of the
Rosenthal Act;

4) Attorney's fees pursuant to statute;

AS TO ALL CAUSES OF ACTION

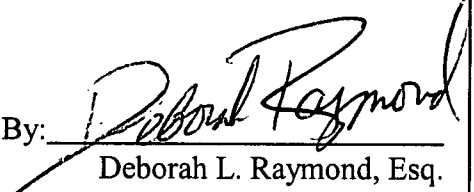
5) Actual Damages according to proof at trial (for the
purpose of a default judgment, not less than
\$15,000.00);

6) Cost of Suit; and

7) Such Other Relief As The Court May Order.

Date: 07/02/08

Respectfully submitted,
Law Offices of Deborah L. Raymond

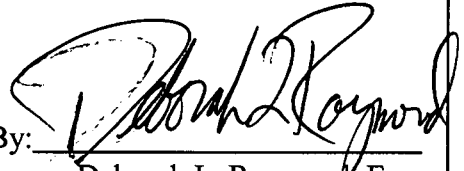
By: 
Deborah L. Raymond, Esq.
Attorney For Plaintiff

DEMAND FOR JURY TRIAL

Plaintiff hereby demands a jury trial as provided by Rule 38(a) of the Federal Rules of Civil Procedure.

Date: 07/02/08

Respectfully submitted,
Law Offices of Deborah L. Raymond

By: 
Deborah L. Raymond, Esq.
Attorney For Plaintiff

BRONSON & MIGLIACCIO, LLP
ATTORNEYS AT LAW

(a limited liability partnership formed in the State of New York)

475 MARKET STREET, ELMWOOD PARK, NJ 07407

P.O. BOX 830, SADDLE BROOK, NJ 07663

TELEPHONE: 888-523-0856 FAX: 201-796-4475

Managing Attorney Responsible For New Jersey

Matters: David V. Weiner **

*Admitted in NJ

**Admitted in NY, NJ

Attorneys Licensed In:

Arizona	Pennsylvania
California	South Carolina
Florida	Texas
Maryland	Tennessee
Massachusetts	Vermont
New Jersey	Virginia
New York	Washington
North Carolina	Wisconsin
Ohio	

|||||
JOSIE BONILLA
707 Oaktree Ln Apt 265
San Marcos CA 92069-5882

8

June 22nd, 2007

RE: Creditor: CACH, LLC.
 Account No: 14451090070603405
 Original Creditor : BANK OF AMERICA, N.A.
 Current Balance: \$5,489.08

Dear JOSIE BONILLA,

This office has been retained to collect the debt owed by you to CACH, LLC.. This is a demand for payment in full.

Unless you, the consumer, within thirty days after receipt of the notice, dispute the validity of the debt or any portion thereof, this office will assume this debt is valid.

If you, the consumer, notify us in writing within the thirty-day period that the debt, or any portion thereof, is disputed we will obtain verification of the debt or a copy of a judgment against you and a copy will be mailed to you by our office.

Upon your written request within the thirty-day period, we will provide you with the name and address of the original creditor, if different from the current creditor.

Please call our office. The toll free number is 888-523-0856.

Very truly yours,



David V. Weiner, Esq.

If you would like to make a payment online please go to www.BronsonandMigliaccio.com.

As required by law, you are hereby notified that a negative credit report reflecting on your credit record may be submitted to a credit reporting agency if you fail to fulfill the terms of your credit obligations.

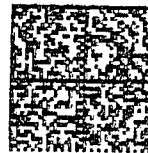
The State Rosenthal Fair Debt Collection Practices Act and the Federal Fair Debt Collection Practices Act require that, except under unusual circumstances, collectors may not contact you before 8 a.m. or after 9 p.m. They may not harass you by using threats of violence or arrest or by using obscene language. Collectors may not use false or misleading statements or call you at work if they know or have reason to know that you may not receive personal calls at work. For the most part, collectors may not tell another person, other than your attorney or spouse, about your debt. Collectors may contact another person to confirm your location or enforce a judgment. For more information about debt collection activities, you may contact the Federal Trade Commission at 1-877-FTC-HELP or www.ftc.gov.

This communication is from a debt collector and is an attempt to collect a debt. Any information obtained will be used for that purpose.

BRONSON & MIGLIACCIO, LLP
Attorneys at Law
P.O. Box 830
Saddle Brook, NJ 07663-0830
Address Service Requested



PRESORTED
FIRST CLASS



UNITED STATES POSTAGE
\$ 00.34
02 1A JUN 27 2007
0004344965
MAILED FROM ZIP CODE 14221

EXHIBIT "A"

July 16, 07

Josie Bonilla

Certified Mail

707 Oaktree Ln # 265

Receipt No: 7005

San Marcos, Ca. 92069

1820 0005 2539

9655

Re:

Creditor: CACH, LLC

Account No.: 14451090070603405

Original Creditor: Bank of America, N.A.

Current Balance: \$ 5,489.08

Dear Mr. Weiner:

I am in receipt of your letter dated June 22nd, 2007, which was postmarked June 27, 2007. I hereby dispute the debt referenced above. I demand verification of the alleged debt, including but not limited to an accounting of any and all debits, credits, fee, charges, and payments, all agreements signed by me, any documents that relate to the alleged debt, and any other information that you assert makes me responsible in anyway whatsoever for the above referenced debt.

Do not contact me by telephone or in person. All communication must be in writing and sent to me at: 707 Oaktree Ln, Apt 265, San Marcos, Ca. 92069-5882

Sincerely,

Josie Bonilla

EXHIBIT "B"

[Home](#) | [Help](#)[Track & Confirm](#)

Track & Confirm

Search Results

Label/Receipt Number: 7005 1820 0005 2539 9655

Status: Arrival at Unit

Your item arrived at 8:03 AM on July 21, 2007 in ELMWOOD PARK, NJ 07407. No further information is available for this item.

[Track & Confirm](#)

Enter Label/Receipt Number.

[Additional Details >](#)[Return to USPS.com Home >](#)

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email. [Go >](#)POSTAL INSPECTORS
Preserving the Trust[site map](#)[contact us](#) [government services](#) [jobs](#)[National & Premier Accounts](#)

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EXHIBIT "B"

Josie Bonilla
707 Oaktree Ln # 265
San Marcos, Ca. 92069

July 16, 07
Certified Mail
Receipt NO: 7005
1820 0005 2539
9648

Re:

Creditor: CACH, LLC

Account NO.: 144510990070603405

Original Creditor: Bank of America, N.A.

Current Balance: \$5,489.08

Dear Sirs:

I am in receipt of the Letter sent to me by David V. Weiner, Esq. Bronson & Migliaccio, LLP dated June 22nd, 2007, which was postmarked June 27, 2007. I hereby dispute the debt referenced above. I demand verification of the alleged debt, including but not limited to an accounting of any and all debits, credits, Fee, Charges, and payments, all payments, all agreements signed by me, any documents that relate to the alleged debt, and other information that you assert makes me responsible in any way whatsoever for the above referenced debt.

Do not contact me by telephone or in person. All communication must be in writing and sent to me at: 707 Oaktree Ln, Apt 265, San Marcos, Ca. 92069-5882

Sincerely,

Josie Bonilla

13

EXHIBIT "B"

[Home](#) | [Help](#)[Track & Confirm](#)

Track & Confirm

Search Results

Label/Receipt Number: **7005 1820 0005 2539 9648**Status: **Delivered**

Your item was delivered at 11:00 AM on July 23, 2007 in DENVER, CO 80202.

[Track & Confirm](#)

Enter Label/Receipt Number.

[Additional Details >](#)[Return to USPS.com Home >](#)

Notification Options

Track & Confirm by email

Get current event information or updates for your item sent to you or others by email.

[Go >](#)

EXHIBIT "B"

DM2p 343

BRONSON & MIGLIACCIO, LLP

ATTORNEYS AT LAW

(a limited liability partnership formed in the State of New York)

2200 Fletcher Ave. 5th Floor Fort Lee, NJ 07024

TELEPHONE: 888-523-0856 FAX: 201-944-5458

Managing Attorney Responsible For New Jersey

Matters: David V. Weiner **

*Admitted in NJ

**Admitted in NY, NJ

Attorneys Licensed In:

Arizona	North Carolina
California	Ohio
Connecticut	Pennsylvania
Florida	South Carolina
Illinois	Texas
Maryland	Tennessee
Massachusetts	Vermont
New Jersey	Virginia
New York	Washington
	Wisconsin



JOSIE BONILLA

707 Oaktree Ln Apt 265

San Marcos CA 92069-5882

4

JANUARY 04TH, 2008

RE: Creditor : CACH, LLC.
 Account Number : 14451090070603405
 Original Creditor : BANK OF AMERICA, N.A.
 Current Balance : \$5,574.63

Dear JOSIE BONILLA,

As you have been previously notified, our firm has been retained to collect the debt owed by you to our client named above. Our client has authorized our firm to offer you a settlement in lieu of the current balance. This means that we are authorized to reduce the amount of money that you will actually have to pay in order to settle this matter

You must act NOW as you have a limited amount of time to qualify for this offer. Please call us immediately at the toll free number listed above and be certain to mention this letter. One of our professional staff members will be able to tell you how much of a savings we can offer you.

Thank you in advance for your prompt response.

Very truly yours,

David V. Weiner, Esq.

If you would like to make a payment online please go to www.BronsonandMigliaccio.com.

This communication is from a debt collector and is an attempt to collect a debt. Any information obtained will be used for that purpose.

EXHIBIT "C"

ATTORNEYS AT LAW

(a limited liability partnership formed in the State of New York)

2200 Fletcher Ave. 5th Floor, Fort Lee, NJ 07024

TELEPHONE: 888-523-0856 FAX: 201-944-5458

Managing Attorney Responsible For New Jersey

Matters:David V. Weiner **

***Admitted in NJ**

****Admitted in NY, NJ**

Attorneys Licensed In:

Arizona	North Carolina
California	Ohio
Connecticut	Pennsylvania
Florida	South Carolina
Illinois	Texas
Maryland	Tennessee
Massachusetts	Vermont
New Jersey	Virginia
New York	Washington
	Wisconsin

3

FEBRUARY 04TH, 2008

RE: Creditor : CACH, LLC.
 Account # : 14451090070603405
 Original Creditor : BANK OF AMERICA, N.A.
 Current Balance : \$5,665.59

Dear JOSIE BONILLA,

As you are aware from previous correspondence or conversations, this office represents the above-named creditor who purchased your indebtedness from the original creditor, who is listed above, along with the balance you owe.

This matter may be settled amicably. Sometimes, depending upon your financial situation, our client will allow you to pay in reasonable monthly installments or may allow you to make a lump-sum settlement in an amount less than the full balance.

Please call us at our toll-free number listed above to discuss a reasonable settlement or payment plan.

Very truly yours,

Paul V. Weiner

David V. Weiner, Esq.

If you would like to make a payment online please go to www.BronsonandMigliaccio.com.

This communication is from a debt collector and is an attempt to collect a debt. Any information obtained will be used for that purpose.

EXHIBIT "D"

**UNITED STATES
DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
SAN DIEGO DIVISION**

**# 152583 - TC
* * C O P Y * *
July 02, 2008
15:28:27**

Civ Fil Non-Pris

USAO #: 08CV1175
Judge.: JEFFREY T MILLER
Amount.: \$350.00 CK
Check#: BC5887

Total-> \$350.00

FROM: JOSIE BONILLA
VS
BRONSON & MIGLIACCTO, ET AL.

JS44

(Rev. 07/89)

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE SECOND PAGE OF THIS FORM.)

I (a) PLAINTIFFS

JOSIE BONILLA

DEFENDANTS

BRONSON & MIGLIACCIO, L.L.P.; CACH, DEC;
DAVID V. WEINER; and DOES 1-40, inclusive,(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF
(EXCEPT IN U.S. PLAINTIFF CASES)

San Diego

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED BY: DEPUTY

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Law Offices of Deborah L. Raymond
445 Marine View Avenue, Suite 305
Del Mar, CA 92014
Tel# (858) 481-9669

ATTORNEYS (IF KNOWN)

08 CV 1175 JM POR

II. BASIS OF JURISDICTION (PLACE AN X IN ONE BOX ONLY)

- ☐ 1 U.S. Government Plaintiff ☒ 3 Federal Question
(U.S. Government Not a Party)
- ☐ 2 U.S. Government Defendant ☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN X IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)

- | | | | |
|----------------------------|----------------------------|----------------------------|----------------------------|
| PT | DEF | PT | DEF |
| <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |
- Citizen of This State Incorporated or Principal Place of Business in This State
- Citizen of Another State Incorporated and Principal Place of Business in Another State
- Citizen or Subject of a Foreign Nation Foreign Nation

IV. CAUSE OF ACTION (CITE THE US CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY). Violations of the Federal Fair Debt Collection Practices Act, 15 U.S.C. sections 1692 et seq., unlawful collection practices

V. NATURE OF SUIT (PLACE AN X IN ONE BOX ONLY)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veterans Benefits <input type="checkbox"/> 160 Stockholders Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Medical Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 RR & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 680 Other LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark SOCIAL SECURITY <input type="checkbox"/> 861 HIA (13958) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(a)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reappointment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc. <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State <input type="checkbox"/> 990 Other Statutory Actions FDCPA
REAL PROPERTY <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Tort to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	CIVIL RIGHTS <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 440 Other Civil Rights	PRISONER PETITIONS <input type="checkbox"/> 510 Motions to Vacate Sentence Habeas Corpus <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prisoner Conditions		

VI. ORIGIN (PLACE AN X IN ONE BOX ONLY)

- ☒ Original Proceeding ☐ 2 Removal from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify) ☐ 6 Multidistrict Litigation ☐ 7 Appeal to District Judge from Magistrate Judgment

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER fr.c.p. 23

 DEMAND \$
 not less than \$15,000

 Check YES only if demanded in complaint:
 JURY DEMAND: ☒ YES ☐ NO

VIII. RELATED CASE(S) IF ANY (See Instructions):

JUDGE n/a

Docket Number n/a

DATE 07/02/08

SIGNATURE OF ATTORNEY OF RECORD

Deborah L. Raymond